



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,770	12/26/2000	Masayoshi Tanabe	04329.2482	9932

22852 7590 10/04/2003

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER  
LLP  
1300 I STREET, NW  
WASHINGTON, DC 20005

EXAMINER

NGUYEN, DUC M

ART UNIT PAPER NUMBER

2685

DATE MAILED: 10/04/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/746,770

Applicant(s)

Tanabe

Examiner

Duc M. Nguyen

Art Unit

2685



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-11 is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Dec 26, 2000 is/are a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some\* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

Art Unit: 2685

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. This application has been filed with formal drawings which are acceptable and has been approved by the Draftperson under 37 CFR 1.84 or 1.152.

### ***Specification***

3. The disclosure is objected to because of the following informalities: the claim numbers on pages 4-5 should be deleted. As an alternative, independent claims or dependent claims could be used in place of the claim numbers.

Appropriate correction is required.

4. Claims 1-2, 6-7, 9-10 are objected to because of the following informalities:
  - the expression "either ..... and ....." should be changed to "either ..... or .....".

Accordingly, "and" should be changed to "or" in

- lines 5 and 12 of page 24;
- line 7 of page 25;
- lines 11, 21 and 23 of page 26;

Art Unit: 2685

- lines 19 and 25 of page 27;
- lines 7 and 14 of page 28;
- “a lapse” should be changed to “the elapse” in lines 19 and 24 of page 24, lines 3 and 8 of page 27, line 13 of page 28.

Appropriate correction is required.

#### ***Allowable Subject Matter***

5. Claims 1-11 would be allowable if rewritten to overcome the objections set forth in this Office action.
6. The following is a statement of reasons for the indication of allowable subject matter:

As to claims 1, 7, 10, the cited prior art fail to disclose or made it obvious a method or apparatus for controlling information display of a radio communication terminal which comprises steps as specified in the claims, wherein the display is changed from a first brightness mode to a second brightness mode after the elapse of a time period, and wherein the elapse time period comprises two periods of times which are set according to the operation mode of the terminal selected by the user instruction input.

#### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2685

- **Karam** (US Patent Number 5,548,832), Automatic display illumination in a receiver.
- **Maeda et al** (US Patent Number 5,212,810), Terminal equipment of a vehicle radio telephone system.
- **Nonogaki** (US Patent Number 6,625,478), Multifunction wireless telephone.
- **Son et al** (US Patent Number 6,278,887), System and method for power conservation in a wireless communication handset.
- **Crane** (US Patent Number 6,463,305), Power management system for cellular telephones.
- **Tsuchiyama** (US Patent Number 6,246,888), Radio paging receiver and method for controlling display auto-reset function.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9314 (for formal communications intended for entry)

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington VA, Sixth Floor (Receptionist).

Serial Number: 09/746,770

Page 5

Art Unit: 2685

Any inquiry concerning this communication or communications from the examiner should be directed to Duc Nguyen whose telephone number is (703) 306-4531, Monday-Thursday (9:00 AM - 5:00 PM). Or to Edward Urban (Supervisor) whose telephone number is (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Duc Nguyen

A handwritten signature in black ink, appearing to read 'Duc Nguyen', with a long horizontal flourish extending to the right.

Sept 29, 2003